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In re Application of :
Mori et al. :
Application No. 10/576,676 :
PCT No.: PCT/JP04/15600 :
Int. Filing Date: 21 October 2004 : COMMUNICATION
Priority Date: 24 October 2003 :
Att. Docket No.: 4670-0124PUS1 :
For: Binder For Electrode Of Electric :
Double Layer Capacitor :

This is in response to the petition under 37 CFR 1.182 filed on 22 May 2007.

BACKGROUND

This international application was filed on 21 October 2004, claimed an earliest priority date of 24 October 2003, and designated the U.S. The International Bureau communicated a copy of the published international application to the USPTO on 06 May 2005. The 30 month time period for paying the basic national fee in the United States expired at midnight on 24 April 2006. Applicants filed, *inter alia*, the basic national fee on 21 April 2006.

On 22 March 2007, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicants, requiring an oath or declaration compliant with 37 CFR 1.497(a) and (b) and a surcharge under 37 CFR 1.492(h). It was noted that "Inventor number three Mayumi Kaneko as published, signed the declaration as Mayumi Fukumine. Form PCT/IB/306 is required of such a change."

DISCUSSION

Inspection of the declaration filed on 22 May 2007 reveals that it nominates "Mayumi FUKUMINE" in place of "KANEKO, Mayumi" who is nominated in the published international application. MPEP 605.04(b) states in part that

Except for correction of a typographical or transliteration error in the spelling of an inventor's name, a request to have the name changed from the typewritten version to the signed version or any other corrections in the name of the inventor(s) will not be entertained, unless accompanied by a petition under 37 CFR 1.182 together with an appropriate petition fee.

Since the change described above represents more than a mere typographic error or phonetic misspelling of applicant's name, a petition (and fee) under 37 CFR 1.182 is required. *See also* MPEP MPEP § 201.03(b). Petitioner has filed such a petition (and fee). Said petition is accompanied by a "Statement By Co-Inventor Regarding Recent Name Change" stating in part that "I declare that my name has recently been legally changed under Japanese law: From Ms. Mayumi Kaneko to Ms. Mayumi Fukumine." This "Statement..." is signed by Ms. Fukumine using both names. In view of the totality of the evidence currently of record, it would be

appropriate to accept the declaration filed on 22 May 2007 for purposes of compliance with 37 CFR 1.497(a) and (b).

CONCLUSION

The petition under 37 CFR 1.182 is **GRANTED**.

This application is being returned to the National Stage Processing Branch for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **22 May 2007**.



George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283
Fax: (571) 273-0459

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